

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

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MEIJER, INC. and MEIJER  
DISTRIBUTION  
INC., on behalf of themselves and all others  
similarly situated

C.A. No. 08-cv-2431

Plaintiffs,

v.

BIOVAIL CORPORATION, BIOVAIL  
LABORATORIES, INC., BIOVAIL  
LABORATORIES INTERNATIONAL SRL,  
and  
SMITHKLINE BEECHAM CORP. and  
GLAXOSMITHKLINE, PLC,

Defendants.

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ROCHESTER DRUG  
COOPERATIVE, INC., on behalf of  
themselves and all others  
similarly situated

C.A. No. 08-cv-2462

Plaintiffs,

v.

BIOVAIL CORPORATION, BIOVAIL  
LABORATORIES, INC., BIOVAIL  
LABORATORIES INTERNATIONAL SRL,  
SMITHKLINE BEECHAM CORP. and  
GLAXOSMITHKLINE PLC,

Defendants.

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AMERICAN SALES COMPANY, INC.,

Plaintiff,

C.A. No. 08-cv-2464

v.

BIOVAIL CORPORATION, BIOVAIL  
LABORATORIES, INC., BIOVAIL  
LABORATORIES INTERNATIONAL SRL,  
and SMITHKLINE BEECHAM, D/B/A  
GLAXOSMITHKLINE, PLC,

Defendants.

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**DIRECT PURCHASER PLAINTIFFS' UNOPPOSED MOTION  
FOR ENTRY OF CASE MANAGEMENT ORDER NO. 1**

Pursuant to Fed. R. Civ. P. 23(g)(3), plaintiffs in the above-captioned direct purchaser antitrust actions Meijer, Inc. and Meijer Distribution, Inc., Rochester Drug Cooperative, Inc., and American Sales Company, Inc. hereby move for entry of Case Management Order No. 1 appointing Interim Class Counsel for a proposed class of direct purchasers and directing such counsel to consult with all other counsel about consolidation and coordination of other direct and indirect purchaser cases. Such an order will promote judicial economy and avoid duplication, and aid in the fair administration of justice.

The defendants in these actions have reviewed this submission and the proposed order and do not object to its entry.

A proposed order is annexed hereto as Exhibit A. Resumes of the firms seeking the appointment requested herein are annexed hereto as Exhibits B - E.

WHEREFORE, for the foregoing reasons, plaintiffs respectfully request that this motion be granted.

Dated: August 13, 2008

/s/ Dianne M. Nast

Dianne M. Nast

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**CERTIFICATE OF SERVICE**

I, Dianne M. Nast, hereby certify that I am one of plaintiff's attorneys and that, on August 13, 2008, I caused copies of the papers annexed hereto to be served on all counsel of record in this proceeding via CM/ECF filing and email.

/s/Dianne M. Nast